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MEMO ENDORSED


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November 11, 2015

Via Facsimile Only (914-390-4256)

Hon. Paul E. Davison
United States Magistrate Judge
The Hon. Charles L. Brieant Jr. Federal Building
and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

SO ORDERED:

Hon. Paul E. Davison
United States Magistrate Judge
11-12-15

Re: **The Wave Studio, LLC v. General Hotel Management, Ltd., et al.,
Case No. 13-cv-09239**

Dear Judge Davison,

We represent Defendant General Hotel Management, Ltd. ("GHM"). We write in accordance with the proceedings which took place before Your Honor on Monday, November 2, 2015. Our client has confirmed that it is acceptable for the testimony of Mr. Ralf Ohletz Graf Von Plettenberg that was recorded on September 23, 2015 in Singapore to serve as 30(b)(6) testimony of GHM (in addition to the testimony of Ms. Monica Chng that was recorded on September 22, 2015), even though Mr. Ohletz is not a current employee of GHM.

Notwithstanding the foregoing, GHM reiterates for the record that it does not have any control over Mr. Ohletz, and is unable to force Mr. Ohletz to appear for another deposition or to give testimony at trial should the Court or Plaintiff request it. Please do not hesitate to contact the undersigned should Your Honor require any additional information regarding this issue.

Respectfully submitted,

/s/ *Howard J. Schwartz*

Howard J. Schwartz

HJS:ajr

cc: Vijay K. Toke, Esq., counsel for Plaintiff The Wave Studio, LLC, via email